customers and staff members about violation of rules and procedures of the bank by the officials of their Thiruvananthapuram branch. Based on the complaints and the findings of an Inspection report of Reserve Bank of India, a special audit of the branch was ordered. The bank has further reported that disciplinary action against delinquent officials has been ordered by the competent authorities in the bank.

[Translation]

Public Grievances Commission

2711. SHRI CHHATAR SINGH DARBAR:

KUMARI UMA BHARATI:

SHRI SATYA DEO SINGH:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government have granted sanction to the decision of the Delhi Government to appoint a public Grievances Commission to redress the grievances of the people;

(b) if so, the details thereof; and

(c) by when the said Commission is likely to start functioning?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) and (b) Yes, Sir. The details are given in the Resolution which is laid on the table of the House. The Resolution is to be notified by the Government of National Capital Territory of Delhi.

(c) If is for the Government of National Capital Territory of Delhi to decide the date.

RESOLUTION

After a careful consideration of the need for providing a comprehensive mechanism for effective redressal of grievances of the public against the departments of Goverment of NCT of Delhi and local bodies, autonomous organisations/undertakings and other institutions owned or substantially financed by the Government of NCT of Delhi, the Government of NCT of Delhi with prior approval of the Central Government have decided to set up a "Public Grievances Commission" in the National Capital Territory of Delhi to act as a functionally independent body responsible for speedy redressal of complaints of the public against acts of omission or commission on the part of public officials working in the said organisations and to recommend such action as considered necessary for removal of such grievances. The Commission shall, for the present, be attached to the Department of Administrative Reforms, Government of NCT of Delhi, but in the exercise of its powers and functions it will have the same measure of independence and autonomy as the Union Public Service Commission. The functions of the Commission shall be advisory in the same sense as those of the Union Public Service Commission.

2. The Composition of the Commission, its power and functions and the broad framework in which it shall function will be as follows:

A. COMPOSITION

(i) The Commission shall consist of a Chairman and three Members (including two part-time Members) who shall be appointed by the Lt. Governor of the National Capital Territory of Delhi.

(ii) The Chairman and the whole-time Member shall be persons who have, in the opinion of the Government of NCT of Delhi, distinguished themselves in the field of public administration. The two part-time Members shall be persons of public eminence having special knowledge or practical experience in the field of education or science or law or literature or social service or human rights. Of these two part-time members, at least one shall be a lady;

(iii) Save as otherwise provided, the Chairman and the members (including part-time members) shall ordinarily hold office for a term of 2 years or till they attain the age of 65 years, whichever is earlier.

(iv) The Chairman may resign his office by giving notice in writing to the Lt. Governor of NCT of Delhi and any other member including part-time Member may resign his office by giving notice in writing to the Chairman, and upon such resignation having been accepted by the Government of NCT of Delhi or, as the case may be, by the Chairman, the Chairman or the member (including the part-time Member) shall be deemed to have vacated his office;

(v) The Chairman shall be paid a consolidated salary of Rs. 8000/- provided further that if the Chairman at the time of his appointment is in receipt of pension (other than disability or war pension) in respect of any previous service under the Government of India or under the Government of a State, his salary, irrespective of his service in the Authority, shall be reduced by the amount of that pension. The whole time Member shall be paid, subject to the same conditions, a salary of Rs. 7500/- per month together with such allowance as admissible from time to time. The two part-time Members shall be paid a fixed fee of Rs. 7500/- per month. The other terms and conditions of service of the Chairman and Members (including part-time Members) shall be such as are applicable to the officers of comparable status in the Government of India.

(vi) A person shall be disqualified from being appointed as Chairman or Member (including part-time Member) if he (a) is not a citizen of India; or (b) is of unsound mind and has been so declared by the competent court; or (c) is adjudged as an undischarged insolvent; or

(d) is convicted and sentenced to imprisonment for an offence which in the opinion of the Government of NCT of Delhi, involves moral turpitude.

B. POWERS AND FUNCTIONS

(i) The Commission shall consider, if it is satisfied that the circumstances of the case so warrant, complaints made by members of public against acts of omission or commission including cases of inaction or harassment or extortion or corruption or abuse of power and authority on the part of officials of the Departments of Government of NCT of Delhi and local bodies, autonomous organisations/ undertakings and other institutions owned or substantially financed by the Government of NCT of Delhi. The advisory jurisdiction of the Commission shall not, however, extend to the Delhi Police and Delhi Development Authority.

(ii) It shall be open to the Commission to take suo moto action in respect of any omission or commission on the part of the aforesaid public officials on the basis of information contained in media reports or received otherwise. The Commission shall also consider cases specifically referred to it by the Lt. Governor of the National Capital Territory of Delhi, the Chief Minister, Government of NCT of Delhi or the Chief Secretary, Government of NCT of Delhi. The Commission shall not, however, consider complaints which are sub-judice;

(iii) A person aggrieved by any act of omission or commission on the part of the said public officials may make an application to the Commission for the redressal of his grievance giving specific details of the case supported with a duly sworn affidavit.The applicant shall make a specific declaration to the effect that to the best of his knowledge and belief the subject-matter of the complaint is not sub-judice;

(iv) The Commission may conduct the hearing of the case singly or in benches consisting of the Chairman or the whole-time Member and one of the two part-time Members. The aggrieved person who has made the complaint shall himself represent the case before the Authority and will not be entitled to engage a legal practitioner for the purpose;

(v) The Commission shall, on receipt of a complaint and if it is satisfied that it needs to be looked into, call for such records and summon such officials as considered necessary, hear them and come to a quick decision as to whether there is any dereliction on the part of the officials concerned. The Commission shall lay particular emphasis on the speedy disposal of the complaint. It shall be incumbent on the chief Secretary of Government of NCT of Delhi and the Head of the Department concerned to ensure that the documents called for by the Commission are furnished to it within the time-frame specified by the Commission and also to ensure that officials, if any, summoned by the Commission appear before the Commission at such time and date as fixed for the purpose by the Commission; and

(vi) The Commission shall on conclusion of the hearing of the complaint pass an appropriate 'speaking' order and in cases where it is held that the allegations made against the officials concerned are prima facie established, the Commission shall also recommend action to be taken against the erring officials. The recommendations thus made by the Commission shall be given due consideration by the appropriate administrative authority for its speedy implementation. However, where the appropriate administrative authority on the basis of the merits of the case takes a contrary view, it shall communicate to the Commission, in writing, specific reasons because of which its recommendations could not be accepted. If the Commission is not satisfied with the reasons indicated for non-implementation of its recommendations, it shall be reflected as a case of non-acceptance of Commission's recommendations in its annual report.

3. The Commission may also conduct research into systemic causes of complaints on a regular basis and provide such reports that can form the basis of bringing administrative reforms in areas needing improvements so that the administration becomes more transparent and responsive. Notwithstanding the establishment of the Public Grievances Commission, the Government of National Capital Territory of Delhi will continue to endeavour to strengthen the internal grievance redressal machinery in various departments and agencies under its administrative control and ensure transparency of procedures, free flow of information to the public etc.. The Commission will therefore, Primarily consider complaints on matters relating to corruption or those beyond the control of individual agencies.

C. ANNUAL REPORT

The Commission will submit an annual report to the Department of Administrative Reforms, Government of NCT of Delhi about its activities drawing particular attention to any recommendation made by it which had not been accepted or acted upon, and a copy of the report together with a memorandum explaining the reasons for non-acceptance of any recommendation(s) of the Commission will be laid by the Department of Administrative Reforms, Government of NCT of Delhi before the Legislative Assembly of NCT of Delhi before the Legislative Assembly of NCT of Delhi.

ORDER

ORDERED that a copy of this Resolution be communicated to all Departments of Government of NCT of Delhi, local bodies, autonomous organisations/undertakings and other institutions owned or substantially financed by the Government of NCT of Delhi all organisations of the Government of NCT of Delhi. etc. and also that the, Resolution be published in the Gazette of Delhi.

(T.T.Joseph)

Principal Secretary,

Government of NCT of Delhi.

Annexure-A

Staffing Pattern of the Public Grievances Commission to be Set up by the Government of National Capital Territory of Delhi

Sl. No.	Designation of Post	Number of Posts	Scale of Pay	
1.	Chairman	1	8000/-Fixed	Other allowances as admissible
2.	Member (Official)	1	7500/-Fixed	
3.	Member (non-official)	2	7500/-Fixed	
4.	Secretary to the Commission	1	3000-4500	
5.	PS to Chairman	1		Scales of pay of these posts would be as prevalent in the Government of National Capital Territory of Delhi.
6.	PS to Members	3		
7.	PA to Chairman/Members	4		
8.	Steno Grade 'D'	1		
9.	LDC	2		
10.	Peon	6		

Foreign Investment Process

2712. SHRI RAJENDRA AGNIHOTRI: Will the Minister of INDUSTRY be pleased to state:

(a) whether some State Governments are facing certain diffculties in the actual foreign capital investment proceess;

(b) if so, the reasons therefor;

(c) whether some State Governments have reviewed their policies and working system at the request of the Union Government so as to provide favourable atmosphere for investors; and

(d) if so, the details thereof?

THE MINISTER OF INDUSTRY (SHRI MURASOLI MARAN): (a) to (d) The Government is committed to facilitating the implementation of projects involving Foreign Direct Investment that have been approved. Accordingly, Government has taken a number of steps which include interaction with investors and State Governments to identify bottlenecks and problem areas and thereby attempt to have them resolved. Appropriate suggestions have been made to State Governments to put in place an open, transparent and investor-freindly approval mechanism.

Foreign Banks in India

2713. VAIDYA DAU DAYAL JOSHI: Will the Minister of FINANCE be pleased to state:

(a) the names of foreign Banking agencies allowed to function in India and the time since when they are ordered to function;

(b) whether due to their efficiency and good service several persons are closing their accounts in Indian Bank and are opening accounts in foreign banks; and

(c) the foreign bank-wise number of new accounts opened during the last one year and the number of current accounts and fixed deposit accounts and the amount deposited therein?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATPAL MAHARAJ): (a) The list of foreign banks operating in India as on 1st June, 1997 as also the date of opening their first branch in India is given in the attached Statement.

(b) Having regard to their network of branches spread throughout the country as contrasted with the limited presence of foreign banks in metropolitan areas as well as the different levels of application of technology in both categories of banks, it is not appropriate to compare their efficiency. Moreover, there is no evidence to show that customers are closing their accounts with Indian Banks and opening accounts with foreign banks.

(c) The present data reporting system of Reserve Bank of India do not have such information.